

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

SYLVESTER O. BARBEE
ADC #131311

PLAINTIFF

V.

NO: 5:14CV00265 JLH

CHERI ELLIS *et al.*

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Jerry W. Cavaneau, and the objections filed. After carefully considering the objections and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED THAT:

1. The motion for summary judgment filed by Defendants Cheri Ellis and Aundrea Weekly (docket entry #100) is GRANTED, and Plaintiff's complaint is DISMISSED.
2. Plaintiff's complaint is DISMISSED WITH PREJUDICE with respect to his claims against Ellis and Weekly, and DISMISSED WITHOUT PREJUDICE in all other respects.
3. All other pending motions are DENIED AS MOOT.
4. The Court certifies that an *in forma pauperis* appeal taken from the order and judgment dismissing this action is considered frivolous and not in good faith.

DATED this 6th day of June, 2016.


UNITED STATES DISTRICT JUDGE